

Restriction is only proper if the claims of the restricted groups are either independent or patentably distinct. The burden of proof is on the Office to provide reasons and/or examples to support any conclusion with regard to patentable distinctness. MPEP §803.

Applicant respectfully traverses the Restriction Requirement on the grounds that no adequate reasons and/or examples have been provided to support a conclusion of patentable distinctness between the identified groups.

Further, MPEP §803 states as follows:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on its merits, even though it includes claims to distinct or independent inventions.

Applicant submits that a search of all claims would not constitute a serious burden on the Office.

In addition, as acknowledged by the Examiner, Applicants request that upon finding that the elected claims are allowable, the corresponding non-elected process claims should be rejoined (MPEP §821.04).

Applicant submits that the application is now in condition for examination on the merits. Early notification of such is earnestly solicited.

Respectfully submitted,

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